

### **REMARKS**

The Office Action dated December 20, 2011, has been received and carefully noted. The above amendments and the following remarks are being submitted as a full and complete response thereto. Claims 24-43 are pending in this application. Claims 24, 32, and 40 are amended herein. Support for these amendments can be found throughout the Specification. See *e.g.*, paragraphs [0044], [0046], [0051]-[0053], *etc.* Applicants respectfully request reconsideration and withdrawal of the rejections.

### **Claim Rejections -- 35 U.S.C. 103**

Claims 24-26, 30-36, 39, and 40 are rejected under 35 U.S.C. 103(a) in view of U.S. Patent No. 6,711,460 to Reese in view of U.S. Patent No. 6,564,121 to Wallace *et al.* (hereinafter "Wallace"). Applicants note that claim 39 is not indicated as rejected in the heading on page 3 of the Office Action, but Applicants assume that this claim is rejected based on reasoning in pages 6 and 7 of the Office Action. Claims 27-29, 37, 38, and 41-43 are rejected under 35 U.S.C. 103(a) in view of Reese in view of Wallace, and further in view of U.S. Patent Application Publication No. 2003/0149599 of Goodall *et al.* (hereinafter "Goodall"). Applicants respectfully traverse these rejections.

### **Claims 24 and 32**

Independent claim 24 recites in part ***remotely accessing a plurality of order queues at an order server, wherein the plurality of order queues are each associated with one of a plurality of healthcare facilities, selecting one of the plurality of order queues for reviewing and authorizing one or more related orders based on the***

***remotely accessing the plurality of order queues.*** Reese, Wallace, and Goodall, when taken alone or in combination, fail to teach or suggest at least such combination of features of independent claim 24.

Reese relates to a system for a single remote professional to provide pharmaceutical care and oversight of multiple local pharmacies. (See Abstract). More specifically, in the sections cited by the Office Action, the remote pharmacist is operatively linked to a number of individual pharmacies through a closed circuit television system, and a network link for transmission of order information or directions to drug retrieval and compounding robots. (See column 12, lines 36-66). Reese, however, fails to teach or suggest at least ***remotely accessing a plurality of order queues at an order server, wherein the plurality of order queues are each associated with one of a plurality of healthcare facilities, selecting one of the plurality of order queues for reviewing and authorizing one or more related orders based on the remotely accessing the plurality of order queues,*** as recited in independent claim 24.

Furthermore, Reese fails to teach or suggest the concept of ***an order server*** with a ***plurality of order queues***. It appears that the Office attempts to associate a pharmacist computer receiving orders from individual pharmacies in Reese as the order server of claim 24, with the individual pharmacies as order “channels,” which the Office admits are not order queues. Even if these associations can be made (not admitted), independent claim 24 is amended herein to clarify aspects of the claimed subject matter, and Reese fails to teach or suggest aspects in claim 24 as amended. For example, using the contested alleged associations of the Office, in Reese there is no

**remote accessing** of the individual pharmacies at the pharmacist computer followed by **selecting** one of the individual pharmacies **based on the remotely accessing** of the individual pharmacies. Reese is silent regarding such aspects, and thus, Reese fails to teach or suggest at least these aspects of independent claim 24.

The Office Action further provides Wallace in alleged support of other aspects of claim 24. Wallace relates to a system for dispensing packaged and non-packaged medical products. (See column 5, lines 65-67). More specifically, Wallace discloses inputting patient and prescription information into a server, which a pharmacy controller account can access to process the prescription for dispensing to a remote control dispenser (RCD). (See column 11, lines 64-67, and column 12, lines 1-29). Wallace, however, is silent regarding at least the aspects of claim 24 highlighted above, and thus fails to cure deficiencies of Reese with respect to this claim. Goodall is also silent regarding such claimed aspects. Thus, Reese, Wallace, and Goodall, when taken alone or in combination, fail to teach or suggest such aspects.

Moreover, the Office acknowledges that Reese fails to disclose aspects of claim 24, including queuing orders associated with individual pharmacies, and provides Wallace in alleged support on these features. Specifically, the Office Action asserts that Wallace shows it is well known in the art to queue orders associated with individual healthcare facilities for remote fulfillment services. Applicants aver to the contrary. Wallace merely discloses inventory and dispense queues at an RCD. (See column 11, lines 54-60). Wallace fails to teach or suggest a plurality of **order queues**. For example, as further described in the claim, the order queues are used in *reviewing and authorizing one or more related orders*. Wallace's queues merely relate to inventory at

a RCD or items dispensed from the RCD. Such queues are completely different from those claimed and do not render **order queues** obvious. Thus, Wallace fails to teach or suggest this aspect of claim 24 as well. Goodall is also silent with respect to these features.

In view of the foregoing, it is readily apparent that Reese, Wallace, and Goodall, when taken alone or in combination, fail to teach or suggest all elements recited in independent claim 24. Independent claim 32 recites similar aspects, namely *at least one first computer for **accessing a plurality of order queues at a remotely located order server, selecting one of the plurality of order queues based on accessing the plurality of order queues***, and thus Reese, Wallace, and Goodall fail to teach or suggest these aspects of this claim as well.

#### Claim 40

Independent claim 40 recites, in part, ***accessing orders from the first order queue and orders from the second order queue based at least in part on a request from a remote processing center***. Reese and Wallace, when taken alone or in combination, fail to teach or suggest at least such aspects.

In particular, Reese discloses the remote pharmacist is operatively linked to a number of individual pharmacies through a closed circuit television system, and uses a network link for transmission of order information or directions to drug retrieval and compounding robots, as shown above. There is no teaching or suggestion in Reese of accessing orders from multiple pharmacies based on a single request from a remote processing center. For at least this reason, Reese fails to teach or suggest at least

***accessing orders from the first order queue and orders from the second order queue based at least in part on a request from a remote processing center***, as recited in independent claim 40. Wallace and Goodall are silent regarding such aspects as well, and thus fails to cure the deficiencies of Reese.

Moreover, as described above with respect to claims 24 and 32, though the Office admits that Reese fails to disclose order queues and provides Wallace in alleged support of order queues, Wallace fails to teach or suggest order queues, as recited in independent claim 40.

For at least the foregoing reasons, the Applicants submit that independent claims 24, 32, and 40 are allowable over the cited art of record. Accordingly, it is requested that these claims, as well as claims 25-31, 33-39, and 41-43, which depend therefrom, be allowed.

**CONCLUSION**

In view of the foregoing, Applicants respectfully request reconsideration of the application, withdrawal of the outstanding rejections, allowance of claims 24-43 and the prompt issuance of a Notice of Allowability.

Should the Examiner believe anything further is desirable in order to place this application in better condition for allowance, the Examiner is requested to contact the undersigned at the telephone number listed below.

In the event this paper is not considered to be timely filed, the Applicant respectfully petitions for an appropriate extension of time. Any fees for such an extension, together with any additional fees that may be due with respect to this paper, may be charged to counsel's Deposit Account No. 01-2300, **referencing attorney docket number 029714-00742.**

Respectfully submitted,



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